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Seventieth session

Summary record of the 1615th meeting
Held at the Palais des Nations, Geneva, on Wednesday, 11 July 2018, at 3 p.m.

Chair: Ms. Chalal (Vice-Chair)

Contents

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Initial report of the State of Palestine (*continued*)

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In the absence of Ms. Leinarte, Ms. Chalal, Vice-Chair, took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Initial report of the State of Palestine (*continued*) (CEDAW/C/PSE/1; CEDAW/C/PSE/Q/1 and CEDAW/C/PSE/Q/1/Add.1)

1. *At the invitation of the Chair, the delegation of the State of Palestine took places at the Committee table.*

Article 9 (*continued*)

2. **Mr. Awad Ala** (State of Palestine) said that the occupying Power imposed unjust measures on Palestinian citizens living in Jerusalem, requiring them, for example to carry a residence permit in their own land, forcibly displacing them from their homes, destroying their houses and confiscating their identity documents, in violation of international law. Such actions had been used by the Israeli authorities to displace Palestinians and were tantamount to a war crime. His Government would continue to seek justice at the international level to protect Palestinians from such violations, as they could amount to crimes against humanity. The Government also provided direct support, including legal assistance, to its citizens in Jerusalem so that they could remain in the city and retain their identity documents.

Article 10

3. **Ms. Song**, noting the State party's achievements outlined in its initial report (CEDAW/C/PSE/1), said that she would like to know what further steps the Government would take with regard to girls, including those in rural areas, to address the root causes of their inadequate access to and premature departure from school. Furthermore, it seemed that the Education Act, adopted in 1964, had never been revised: did the Government plan to review it with a view to amending any discriminatory provisions?

4. Social expectations of gender roles influenced study choices; indeed, declining numbers of girls pursued the sciences and engineering, thus creating gender segregation in higher education and the labour market. Measures were needed not only to encourage girls to take up non-traditional subjects but also to build general cultural acceptance of gender equality. She asked whether the Government had a gender equality strategy for higher education. It would be helpful to learn whether tuition fee waivers had been granted to encourage both boys and girls to pursue studies in the sciences and, if so, how many girls had benefited. Would the Government include examples of outstanding women, including scientists and engineers, in textbooks and had both trainee and qualified teachers been given gender-equality training?

5. **The Chair**, speaking in her capacity as an expert, said that the quality and availability of sex education was reportedly insufficient. Although she could understand it was a sensitive subject, it was essential to provide age-appropriate sex education at all levels for both boys and girls and to train teachers. It would be interesting to learn whether a study would be carried out to determine the impacts of early pregnancy on girls and to better understand its root causes. She asked whether the Government planned to conduct awareness-raising about the negative consequences of early pregnancy and child marriage. What did the State party intend to do to compensate for inadequate sex education and Palestinian women's lack of awareness about family planning?

6. **Ms. Nasser** (State of Palestine) said that the Government had modernized education laws with a view to harmonizing national and religious values with the principles enshrined in international human rights conventions. Corporal punishment was prohibited and education for all was guaranteed; indeed the Government was particularly focusing on the inclusion of children with disabilities and abused children. The minimum age for leaving school was set at 14, with penalties, including prison sentences, for failing to enrol a child or removing a child from school before he or she reached the minimum school-leaving age.

7. Dropout rates were higher for male students, and her delegation could provide the Committee with gender-disaggregated data on those rates in writing. Continual attempts were made to keep both girls and boys in school. Factors responsible for dropout rates included the Israeli authorities' policies, which affected girls' ability to go to school safely, along with disabilities and early marriage. Measures to lower dropout rates included providing safe transport, making education programmes available for girls in hospital and opening schools in remote areas, as even a caravan could serve as a small classroom. Matching education and training with the labour market's needs presented a challenge that affected both girls and boys. The Ministry of Education had consequently focused on vocational training in its five-year plan and would broaden other study options. The Government strove to provide quality education. Mixed primary schools were available and studies had been conducted on gender segregation and performance.

8. The Government was in favour of sexual health education, partly as a means of combating stereotypes. The curriculum was under review and many programmes were available, on hygiene and adolescent health, for example, while training was provided for both students and teachers.

Article 11

9. **Ms. Manalo**, noting that the Labour Act and Civil Service Act did not make specific reference to gender-based discrimination or gender equality, said that she would like to know whether the Government would consider taking urgent action to amend those two laws to address that shortcoming. Neither act covered sexual harassment in the workplace, nor was it dealt with under the Penal Code. Without such provisions, she failed to understand how the State party could give women equal access to the labour market and ensure their rights to employment were not violated.

10. She asked why the Civil Service Act did not refer specifically to the right of women to equal pay for work of equal value. Some women in the workforce, including domestic workers and those employed in the informal sector, were not protected by the laws. The State party thus needed to take steps to promote women's participation in the labour market. In addition, a minimum wage in both the formal and informal sectors needed enforcement. More generally, she asked how received ideas about men and women's roles in the household could be overcome to close the gender wage gap.

11. Given that the provisions of the Labour Act concerning occupational training and guidance made no mention of discrimination and that the vocational training provided for women under the Ministry of Labour reinforced stereotypical roles for women, it would be useful to know how the State party intended to encourage more women to enter into new fields of study. She would also welcome an account of the State party's plans to foster women's participation in the private sector and entrepreneurial activities. In addition, she asked, in the light of information supplied by alternative sources, what the Government envisaged doing to find work for the more than half of women with over 13 years of education who were unemployed.

12. Referring to article 13 of the Labour Act, which stipulated that the labour force should be made up of no less than 5 per cent of persons with disabilities, she wished to know what steps had been taken to ensure that a fair share of Palestinian women with disabilities found decent employment.

13. **Ms. Salah** (State of Palestine) said that, with the Labour Act of 2000, the State of Palestine had abided by the spirit of International Labour Organization (ILO) conventions, despite not having membership. However, as the relevant legislation was not gender sensitive, approximately 30 labour laws were currently under review. The Government had identified a number of steps that needed to be taken, including coming up with a definition of discrimination in the workplace, establishing an effective complaints mechanism for women who had been subject to discrimination, outlining criteria in order to prosecute persons who practised discrimination and determining the scope of the law, including whether it would extend to domestic workers and employees working in the informal sector, for example.

14. Legislation did not deal directly with violence against women, including sexual harassment, in the workplace, but she hoped that labour law would be amended to remedy that gap within two years. The Government acknowledged that it needed to accelerate the process of harmonizing laws on social security and labour laws before provisions on workplace harassment could be introduced.

15. Although the Labour Law stipulated that equal pay should be earned for equal work, that Law had not been harmonized with the relevant ILO conventions. The gender wage gap varied from profession to profession. The social security law provided for 12 weeks of maternity leave on full pay while the labour law provided for 10 weeks. Legislative amendments would need to be made to address the fact that women workers engaged in agricultural work in rural areas were usually not registered as employees and therefore were not entitled to social security coverage. The existing legislation did not provide for the distribution of responsibilities among family members. It would be necessary to amend the law to address the fact that men often enjoyed better career opportunities than women because they were less likely to be called on to care for other family members.

16. **Ms. Salhieh** (State of Palestine) said that, although current legislation did not provide for a clear definition of sexual harassment, the adoption of such a definition would lead to the criminalization of many forms of violence against women. It would be necessary to make legislative amendments in order to extend protection against sexual harassment to domestic workers.

Article 12

17. **The Chair**, speaking in her capacity as an expert, said that a number of factors, including the geographic distribution of health services and restrictions on the movement of Palestinians restricted women's access to health care and the authorities' ability to provide services. She asked how the Government would reduce the annual maternal death rate in line with the Sustainable Development Goals. The Ministry of Health gave priority to family planning and prenatal care; however, it was important to ensure that provision was made for women's other health needs. It would be useful to discover the root causes of a reported gender-based gap in the number of medical referrals issued by the Ministry of Health.

18. It would be helpful to know how the legislative harmonization committee referred to in replies to the list of issues (CEDAW/C/PSE/Q/1/Add.1, para. 4) would ensure that female victims of sexual abuse received emergency treatment. Given that consensual abortion was criminalized under the Penal Code, she asked what initiatives were envisaged to reduce the risk of illegal abortions; whether the State of Palestine would legalize therapeutic abortion if a woman's health was at risk or in cases of rape, incest or the risk of serious fetal impairment and whether the State would decriminalize abortion in all other cases. Noting that many women were arrested while seeking emergency treatment after abortion complications, she wished to know how many women were in prison for abortion.

19. **Ms. Salhieh** (State of Palestine) said that, although abortion was generally prohibited under the Penal Code, a number of legal abortions had been performed in recent years. In one such case, a fatwa had been obtained that had permitted a woman involved in an incestuous relationship to have an abortion. Measures were taken to ensure that women who had had abortions could reintegrate into their families and society. Perpetrators of acts of sexual violence giving rise to pregnancy were held accountable, particularly when the victim was a person with disabilities. The sharia courts, in coordination with the Public Prosecutor's Office, took steps to prosecute persons who forced girls to enter into early marriages.

20. **Ms. Aqel** (State of Palestine) said that reproductive health services were almost free of charge for women in the West Bank. A programme had been established that provided care to around 95 per cent of pregnant women. Other programmes in the areas of postnatal care, prenatal care, family planning, equipment sterilization and cervical and breast-cancer screening were also in place, as were educational programmes on sexual and reproductive health and programmes aimed at couples planning to marry.

21. Statistics published in 2016 showed that maternal mortality rates had fallen. In 2017, only four women had died while giving birth. Steps were taken to investigate the deaths of mothers and mobile clinics provided services to women in rural areas who were prevented from reaching other services by the occupying Power. Over 99 per cent of childbirths in the State of Palestine took place under medical supervision.

22. Health professionals at youth centres in several parts of the country were on hand to give young people advice on sexual and reproductive health. A new programme had been established to provide emergency medical care to persons who could not gain access to a hospital or clinic because a checkpoint had been closed.

23. **Mr. Hamdan** (State of Palestine) said that the percentage of women and girls who entered early marriages had fallen significantly since 2017. Surveys on domestic violence and sexual harassment in the workplace, conducted in 2011, had indicated that the proportions of women subjected to those offences were relatively low.

24. **Ms. Song** said that the question she had asked about gender in higher education concerned the type of subjects chosen by women rather than the segregation of men and women in educational institutions.

25. **Ms. Manalo** said that she wished to know whether there was a target date for the finalization of the review of the Labour Act, whether legislation criminalizing violence in the workplace would be amended to afford specific protection to women with disabilities, whether measures would be taken to ensure that women were free to pursue a career in any profession or industry and whether more freedom of choice would be afforded to women taking maternity leave.

26. **The Chair** said that she wished to know whether special temporary measures would be taken to ensure that widows and women heads of family living in difficult areas, including the Gaza Strip, had equal access to health-care services and social support. She asked what steps were being taken to provide health care to women living in marginalized areas and in the administrative division of the West Bank known as area C.

27. Noting that the health of women with disabilities was not covered by the strategic national health plan or the national protocol on sexual and reproductive health, she asked whether a gender perspective on disability would be incorporated into national legislation and policies to ensure access to health services for women with disabilities and whether the Government would consider requesting technical and financial assistance from its development partners in order to ensure the provision of such services.

28. **Mr. Awad Ala** (State of Palestine) said that the Government had ratified the Convention on the Rights of Persons with Disabilities in order to address gaps in the services provided to persons with disabilities.

29. **Ms. Nasser** (State of Palestine) said that, as a result of measures taken to broaden the range of subjects that girls and women were able to study, girls and women were now encouraged to pursue careers in science and technology.

30. **Ms. Alattrash** (State of Palestine) said that the Government had implemented projects aimed at promoting the economic empowerment of women. Some of the financial assistance received from the Government's partners had been allocated directly to women heads of household, benefiting around 110,000 households. Other projects had been established to provide support to single-parent families and women living in settlements in area C. Assistance was provided to families with a member with disabilities.

31. **Ms. Salah** (State of Palestine) said that steps have been taken to reduce the disparity between the types of job carried out by men and women. Career advice was provided to young people completing their secondary education to help them decide whether to remain in education or enter the workforce. In the last three years of secondary schooling, students were given advice on the different subjects that they could study at university and the career options associated with those subjects.

32. According to statistics published by the World Bank for 2016, the restrictions imposed in area C and the Gaza Strip had led to reductions in the gross domestic product of 35 per cent and 50 per cent, respectively. A number of reports published by international

organizations had indicated that economic conditions in the State of Palestine would not improve unless the current situation changed.

Article 13

33. **Ms. Gabr**, noting that the economic and social empowerment of women did not appear to be a priority for the Government, said that she would welcome information on practical steps taken to address the fact that women were required to pay more into their pension funds than men in a similar situation.

34. Reports indicated that neo-liberal economic policies adopted by the Government had adversely affected social conditions and worsened rates of poverty. Economic dependency on the occupying Power and the competition that Palestinian products faced from products imported by the occupying Power had had a negative impact on the situation of women. In view of that situation, she asked what measures would be taken to ensure that poverty in the State party was eliminated, in line with Sustainable Development Goal 1. The Committee would welcome the delegation's comments on the links between poverty and violence against women that had been highlighted by the Special Rapporteur on violence against women. The Committee would be interested to learn what programmes were in place to increase the participation of women with disabilities in sport.

35. **Ms. Nassar** (State of Palestine) said that the economic empowerment of women had been incorporated into the Government's strategy for 2019–2022, which was based on national policies and the Sustainable Development Goals. Policies intended to promote the employment of women in the private and public sectors had been implemented, as had policies guaranteeing women a minimum wage and enabling them to join trade unions. Measures had been taken to train women entrepreneurs and to raise awareness among women with disabilities of the rights enshrined in the Labour Act.

36. **Ms. Alattrash** (State of Palestine) said that the Government was conducting numerous projects aimed at eliminating poverty in the State of Palestine. An independent body had been established that sought to bring about the economic empowerment of women with disabilities and women who were socially excluded.

37. Measures had been taken to encourage the participation of women in sport, including women with disabilities, and to address the cultural prejudices that hindered such participation. The Government was proud to note that, for the first time, a Palestinian woman had been appointed to a senior position within the International Federation of Association Football.

38. **Mr. Hamdan** (State of Palestine) said that 31 per cent of women heads of household were classed as poor. The poverty rate for women in the Gaza Strip had increased from 29 per cent in 2011 to 54 per cent in 2017. In the West Bank, however, the rate had fallen from 22.5 per cent to 18 per cent over the same period. High unemployment rates among young people fuelled violence and had a negative impact on society and families. In 2017, some 69 per cent of women and 34 per cent of men aged between 18 and 29 years had been unemployed.

39. **Ms. Alattrash** (State of Palestine) said that men and women had the same pension entitlements and their pension contributions were the same. As regards family law, the unfavourable economic conditions had led to a rise in crimes within the family.

40. **Ms. Gabr** said the fact that the pension contributions of women were the same as that of men, even though their working and pay conditions were different, was in itself an injustice.

41. **Ms. Alattrash** (State of Palestine) said that the Government acknowledged that there was need for improvement in the pension system. It was also aware that greater efforts were needed to increase the representation of women in law enforcement and security. Women were thus encouraged to join the police and State security forces.

Article 14

42. **Ms. Verges**, noting that 60 per cent of Palestinian land was occupied, said that she wished to know what plans the Government was developing to improve the access of rural women to basic services. She wondered what challenges the Government faced in that regard and what measures it had taken to improve the situation. The programmes implemented under the Palestinian National Development Plan 2014–2016 seemed to focus more on relief than development.

43. Rural development policies concerning land ownership and rural infrastructure, such as irrigation networks and wells, often favoured men over women. She would be interested to learn what measures had been taken to address that injustice and to involve rural women in the development and follow-up of those policies. She also wished to hear whether there were any specific policies or other measures to improve the situation of Bedouin women. It would be helpful to know whether rural women who worked in the home benefited from the new social security system established in 2017. In view of the lack of disaggregated statistics on Bedouin and rural women, she asked whether any efforts had been made to improve data collection, especially since policies could not be properly implemented without data.

44. The programmes introduced to assist female prisoners were commendable. She would appreciate information on the legal aid provided to women detainees and prisoners of war and the impact of that aid in terms of expediting their cases. Were prisoners given advice and support to help them reintegrate into society upon release?

45. **Ms. Nassar** (State of Palestine) said that the 2017–2022 Cross-Sectoral National Gender Strategy contained measures to improve the living conditions of rural women and to encourage their participation in the labour force. However, due to the occupation of large swathes of the country's territory, many rural women were cut off from electricity and transport infrastructure and other basic services.

46. Various government institutions had set up training courses on starting businesses, which had increased the number of economically active women by 10,000. The number of roles held by women in the public and private sector and in international organizations operating in the State of Palestine had also risen. Women had played an increasingly important role in policymaking in recent years. Consultations were held with women to design policies, including the Cross-Sectoral National Gender Strategy, that met their needs.

47. **Mr. Hamdan** (State of Palestine) said that the Central Bureau of Statistics published data on education, health and other sectors broken down by rural and urban areas.

48. **Mr. Awad Ala** (State of Palestine) said that additional information on the questions pertaining to rural women would be submitted in writing within 48 hours. The Palestinians did not seek justice before the Israeli courts, which were considered as a tool of occupation that did not deliver justice to the Palestinian people. That did not prevent prisoners of war or other detainees, however, from calling upon Palestinian or international legal experts for assistance. The majority of prisoners were successfully reincorporated into the labour force upon release.

49. **Ms. Wahdan** (State of Palestine), recounting her personal experience, said that she had been detained and tortured at the hands of the Israeli authorities at the age of 14. She had also been held in solitary confinement despite her age. She had received support on release and found employment in the public sector.

50. **Ms. Alaga** (State of Palestine) said that the Ministry of Women's Affairs worked in conjunction with the prison authority to launch a campaign in 2018 to support female detainees and to highlight Israeli practices affecting the human rights of Palestinians in prisons. The campaign also demanded respect for the rights of female detainees, including the right to access medical services.

Articles 15 and 16

51. **Ms. Gabr** said that, given the large population of women in the Palestinian diaspora, it would be interesting to know how the authorities ensured the rights of those women and their children, particularly with regard to citizenship and residency rights. Noting that a fund had been established to mitigate the effects of climate change and the Israeli occupation on agriculture, she wished to know whether a fund had also been set up to mitigate the effects of climate change on women's rights and what role women played in that regard.

52. **Mr. Awad Ala** (State of Palestine) said that the Palestine Liberation Organization (PLO), as the sole legitimate representative of the Palestinian people, was responsible for following up on matters relating to exiled and expatriate women. PLO had a committee dedicated refugees and expatriates. Replies on the topic of climate change would be submitted to the Committee in writing.

53. **Ms. Haidar** said that it was important to involve women and civil society organizations in the drafting of a new constitution that recognized the country's diverse laws from a number of sources. Family law, which placed restrictions on the marriage rights of women, remained a cause of de facto and de jure discrimination. She was concerned about discriminatory provisions that afforded greater rights to the father, in terms of the custody of children, for example. She recommended that the State party should take into consideration the best practices of other countries that had Islamic traditions. The Government would also do well to follow the guidance of institutions such as Musawah, which campaigned for justice and equality for men and women in Muslim families. She urged the country to raise the age of marriage, which was as low as 15 for girls in the West Bank, to 18, and to allow marriage between partners from different religions.

54. **Mr. Awad Ala** (State of Palestine) said that all laws were under review to ensure that they did not discriminate against women and that they guaranteed the human rights of all Palestinian people.

55. **Ms. Alattrash** (State of Palestine) said that many challenges remained in the codification of laws owing to the country's diverse political and religious landscape. The separate courts for Muslims and Christians posed a major obstacle in terms of the unification of the judicial system. A dialogue would be held with religious institutions and civil society organizations with a view to amending family laws. Greater efforts were required in order to reach a consensus in that regard. The Government would work with Musawah and judges to ensure an appropriate interpretation of sharia law.

56. **Ms. Alaga** (State of Palestine) said that deep-rooted traditional views of women's role in society and the Israeli occupation posed major challenges to the advancement of women's rights. She thanked the Committee members for their recommendations and comments and said that the Government would consider them in its efforts to overcome those challenges.

57. **Mr. Awad Ala** (State of Palestine) said that he, too, wished to thank the Committee members for their advice and guidance in upholding human rights of women in the Occupied Palestinian Territory, who had suffered discrimination since 1948. His Government was proud that the country's initial report, the first to be presented to a human right treaty body, was aimed at the elimination of discrimination against women. The State of Palestine would never accept discrimination against or oppression of Palestinian women by anyone.

The meeting rose at 5.10 p.m.